

**MINUTES FOR THE COURT OF APPEAL  
STATE OF CALIFORNIA  
SECOND APPELLATE DISTRICT**

# February 4, 2010

DIVISION ONE

B218578      Eulloqui      (Certified for Publication)  
v.  
Superior Court, Los Angeles County  
(The People et al., r.p.i.)

Let a peremptory writ of mandate issue directing the superior court to vacate its August 18, 2009 order denying petitioner's discovery motion and to issue an order granting the motion with respect to complaints and related material, if any, in Detective Eagleson's personnel file alleging that on or before May 13, 1998, Eagleson failed to report payments or other incentives given to informants to his supervisors, the prosecution, or the defense. The order to show cause regarding the instant petition for a writ of mandate issued October 27, 2009, is discharged, and the temporary stay of the evidentiary hearing on petitioner's habeas corpus petition is lifted.

Mallano, P.J.

We concur: Rothschild, J.  
Chaney, J.

B209979      Lukather      (Certified for Publication)  
v.  
General Motors, LLC

The judgment is affirmed. Respondent Paul Lukather is entitled to costs on appeal.

Mallano, P.J.

We concur: Chaney, J.  
Johnson, J.

February 4, 2010 (Continued)

## DIVISION ONE (continued)

B213013 People (Certified for Publication)  
v.  
Gomez

The judgment is affirmed.

Mallano, P.J.

We concur: Rothschild, J.  
Chaney, J.

B212932 Harrison-Van Horn, Inc., (Not for Publication)  
v.  
Charles Hill Agency, et al.

The judgment is reversed. The trial court is directed to enter an order denying Charles Hill's motion for summary judgment. Plaintiff is awarded its costs on appeal.

Chaney, J.

We concur:   Rothschild, Acting P.J.  
                      Johnson, J.

DIVISION TWO

B212141      People                          (Not for Publication)  
v.  
McKneialy

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The judgment is affirmed.

Chavez, J.

We concur: Doi Todd, Acting P.J.  
Ashmann-Gerst, J.

February 4, 2010 (Continued)

## DIVISION TWO (continued)

B212454 People v. Brown (Not for Publication)

The judgment is affirmed.

Chavez, J.

We concur:   Boren, P.J.  
                    Ashmann-Gerst, J.

B217170      Los Angeles County, D.C.F.S.      (Not for Publication)  
v.  
Leann G. et al.

The order is affirmed.

Chavez, J.

We concur:   Boren, P.J.  
                    Ashmann-Gerst, J.

B211326      Yang      (Not for Publication)  
v.  
Fields

The judgment is affirmed. Fields is awarded his costs on appeal.

Chavez, J.

We concur:   Doi Todd, Acting P.J.  
                    Ashmann-Gerst, J.

DIVISION THREE

B212764      People                                  (Not for Publication)  
v.  
Rashad Johnson

The matter is remanded for resentencing; the judgment is otherwise affirmed.

Aldrich, J.

We concur:   Croskey, Acting P.J.  
                    Kitching, J.

B216055      Los Angeles County, D.C.F.S.      (Not for Publication)  
v.  
M.C.

The petition for writ of mandate challenging the order terminating reunification services is denied. The judgment terminating mother's parental rights is affirmed.

Aldrich, J.

We concur: Klein, P.J.  
Kitching, J.

B215969      Los Angeles County, D.C.F.S.      (Not for Publication)  
v.  
Victor O.

The order from which Father has appealed is affirmed.

Croskey, Acting P.J.

We concur:   Kitching, J.  
                      Aldrich, J.

DIVISION THREE (continued)

B204184      Richard Alonzo Bell, et al.                      (Certified for Publication)  
                 v.  
                 Bayerische Motoren Werke AG, et al.

The order granting a new trial is reversed, and the judgment is affirmed.  
Plaintiffs' appeal from the denial of the motion for judgment  
notwithstanding the verdict is dismissed. Defendants are entitled to recover  
their costs on appeal.

Croskey, J.

We concur:   Klein, P.J.  
                 Kitching, J.

DIVISION FOUR

B217066      People    (Not for Publication)  
                 v.  
                 Robinson

The judgment is affirmed.

Willhite, J.

We concur:   Epstein, P.J.  
                 Manella, J.

B215709      People    (Not for Publication)  
                 v.  
                 Frazier

The judgment is affirmed.

Manella, J.

We concur:   Epstein, P.J.  
                 Suzukawa, J.

## DIVISION FOUR (continued)

B216522 People (Not for Publication)  
v.  
Kizzee

The judgment is affirmed.

Epstein, P.J.

We concur: Willhite, J.  
Manella, J.

B216057      R.A.  
v.  
Los Angeles County Department of Children and Family Services

Filed order modifying opinion. Petition for rehearing is denied. (No change in the judgment)

DIVISION FIVE

B215364      Los Angeles County, D.C.F.S.      (Not for Publication)  
v.  
M.J.  
J.J. Jr., et al.

The judgment is affirmed.

Kriegler, J.

We concur:   Turner, P.J.  
                      Mosk, J.

DIVISION FIVE (continued)

B217247      Los Angeles County, D.C.F.S.      (Not for Publication)  
                 v.  
                 T.S.  
                 J.S.

The judgment is affirmed.

Armstrong, Acting P.J.

We concur: Mosk, J.  
                 Kriegler, J.

B208013      People  
                 v.  
                 Gary Salcedo

Filed order denying petition for rehearing.

DIVISION SIX

B206840      Warden  
                 v.  
                 Dudley-Hoffman Mortuary  
B207353      Warden  
                 v.  
                 Dudley-Hoffman Mortuary

Filed order consolidating above-captioned appeals.

DIVISION SEVEN

Court convened at 9:00 a.m.

Present: Perluss, P.J., Woods, J., Zelon, J., Jackson, J. and Eva McClintock, Deputy Clerk.

DIVISION SEVEN (continued)

Each of the following:

B204770 People v. Martinez  
B207039 People v. Orozco  
B211247 People v. Campbell  
B211481 People v. Cole  
B212710 People v. Diaz  
B212985 People v. Giron  
B214404 People v. Rogers  
B214593 People v. Daniels

Argument waived, cause submitted.

B210523 People  
v.  
Duran

Merits:

Argued by Robert Moest for appellant and by Tasha Timbadia, Deputy Attorney General for respondent. Cause submitted.

B211208 People  
v.  
Simmons  
Hall

Merits:

Argued by Ralph Goldsen and Christine Shaver for appellants and by Ryan Smith, Deputy Attorney General for respondent. Cause submitted.

B213727 People  
v.  
Martinez

Merits:

Argued by Michael Wise, Deputy Attorney General for respondent. No appearance for appellant. Cause submitted.



DIVISION SEVEN (continued)

Court recessed.

Court reconvened at 10:00 a.m.

Present: Perluss, P.J., Woods, J., Zelon, J., Jackson, J. and Eva McClintock, Deputy Clerk.

B203415     Marina Glencoe, L. P.,  
                 v.  
                 Malibu Escrow Corp., et al.

Merits:

Argued by Gerald Serlin for appellant and by Andrew Chang and Andrew Haley for respondents. Cause submitted.

Court recessed.

Court reconvened at 1:30 p.m.

Present: Perluss, P.J., Woods, J., Zelon, J., Jackson, J. and Eva McClintock, Deputy Clerk.

B212327     Alva v, Martin

Argument waived, cause submitted.

B209189     HJF, Inc., et al.  
                 v.  
                 Bleau, Fox & Associates, et al.

Merits:

Argued by Tanya Linton for appellants and by Stephen Turner for respondents. Cause submitted.

DIVISION SEVEN (continued)

B209982     Bhaktivedanata Book Trust International, et al.  
                 v.  
                 International Society for Krishna Consciousness

Merits:  
Argued by Jeffrey Wexler for appellant and by Robert Moest for respondents. Cause submitted.

B213376     Barba  
                 v.  
                 Wal-Mart Transportation, et al.

Merits:  
Argued by Raymond McElfish for appellants and by Jeffrey Horwith for respondent. Cause submitted.

B196909     Evans  
                 v.  
                 Howell, et al.

B201949     Sheen  
                 v.  
                 Evans

B209064     Sheen  
                 v.  
                 Evans

Merits:  
Argued by Nina Ringgold for appellant and by William Rea and Richard Pech for respondents. Cause submitted.

## DIVISION SEVEN (continued)

B202637      Hankin, et al.  
v.  
Nathalee Evans

Merits:  
Argued by Evan Marshall and William Rea for appellants and by Nina Ringgold for respondent. Cause submitted.

Court adjourned.

## DIVISION EIGHT

B208200      Los Angeles Korean Methodist Church    (Not for Publication)  
v.  
Haan, et al.

The court's orders are affirmed. Respondent to recover costs on appeal.

Rubin, Acting P.J.

We concur: Bigelow, J.  
Bauer, J. (Assigned)

B199571 Harris (Certified for Publication)  
v.  
City of Santa Monica

The judgment and attorney's fees are reversed, and the matter is remanded for retrial. Each side to bear its own costs on appeal.

Rubin, Acting P.J.

We concur: Flier, J.  
Bigelow, J.

## February 4, 2010 (Continued)

## DIVISION EIGHT (continued)

B216481 People (Not for Publication)

V.

Reynaldo Salgado

The judgment is affirmed.

Bigelow, J.

We concur: Flier, Acting P.J.

Lichtman, J. (Assigned)

B215972 People (Not for Publication)

V.

James Hagens

The judgment is affirmed.

Bigelow, J.

We concur: Rubin, Acting P.J.

Litchman, J. (Assigned)